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ART UNIT	PAPER NUMBER
2162	

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Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Office Action Summary	09/493,220	LENNON, ALISON JOAN
	Examiner	Art Unit
	HUNG Q. PHAM	2162

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *28 March 2005*.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1,2,4-12,14-18,32-37,39-47,49-53,67-71,74 and 119-121* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1,2,4-12,14-18,32-37,39-47,49-53,67-71,74 and 119-121* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☒ All   b)☐ Some * c)☐ None of:

        1.☒ Certified copies of the priority documents have been received.

        2.☐ Certified copies of the priority documents have been received in Application No. _____.

        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .
5)☐ Notice of Informal Patent Application (PTO-152)
6)☐ Other: _____.

DETAILED ACTION

Response to Arguments

Applicant's arguments filed 03/28/2005 have been fully considered but they are

not persuasive.

- As argued by applicants at pages 4 and 7:

> *The applied art is not seen to disclose or suggest the features of independent Claims 1, 36 and 71, and*
> *in particular, is not seen to disclose or suggest at least the feature of browsing*
> *electronically-accessible resources with descriptions of the resource that are separate from the*
> *resource.*
>
> ...
>
> *DeRose is not seen to teach descriptions having descriptor components that have attributes*
> *representative of at least two axes of access, much less that the descriptions (and its descriptor*
> *components) are separate from the resource. Rather, DeRose is seen to access the resource itself to*
> *generate element descriptors.*

Examiner respectfully traverses because of the following reasons:

As shown at FIG. 6 (Col. 9, Line 62-Col. 10, Lines 41), element directory as a

description of an SGML document (FIG. 4) as a resource is illustrated, *the description*

having descriptor components (element descriptors 90) *having attributes* (Col. 102 of FIG. 6).

Element directory is used to navigate a document (Col. 9, Lines 21-25). As illustrated at

Col. 10, Line 38-Col. 11, Line 27, the document is parsed, an element directory is

generated and written to a file object. As seen, the technique of storing the element

directory in a file object indicates the element directory as *the description being separate*

from the SGML document as *resource.*

- As argued by applicants at pages 4 and 5:

The Office Action contends that DeRose teaches the feature of "the description being separate from the resources"(column 12, line 56 through column 13, line 6). The cited passage describes how a document having descriptive markup may be parsed and an element directory generated. The element directory may then be used to traverse the document. Although the element directory may be regarded as a description of the original document, Applicant submits that DeRose does not display items for selection based on this element directory. Instead, when making use of the element directory to navigate the document, the method of DeRose is seen to read information from the original document.

Examiner respectfully traverses because as illustrated at FIG. 12, items, e.g.,

BICYCLE, BICYCLE MAINTERNANCE MANUAL, BRAKES..., of TABLE OF

CONTENT is displayed for selection, each item of FIG. 12 associates with an element

descriptor by an element identifier (Col. 16, Lines 45-56).

- As argued by applicants at pages 5 and 6:

DeRose is seen to teach that the displayed items in Fig. 12 do not derive from the description of the resource, but instead are retrieved from the resource itself, i.e. the SGML document. The present invention, on the other hand, recites displaying items for selection in accordance with an attribute representative of a first axis of access, wherein descriptions of the resource have descriptor components having attributes representative of at least two axes of access to the resources, and wherein the descriptions are separate from the resources.

...

Figs. 12-13 illustrate how portions of the SGML document are rendered for viewing by the user, based on a lookup window and table of contents. However, the displayed information on which the user makes his or her selection is excerpted from the SGML document and not from a separate description. The items displayed in the table of contents are not seen to be descriptor components, but instead are seen to be text or images retrieved from the actual resource.

Examiner respectfully traverses. The rendering process of a document is based

on element directory (Col. 16, Lines 1-7). The table of contents record for an element

includes an indication of its element identifier and the element identifier of the next element in the document... The constructed table of contents records are written to a file. With this table of contents construction, an element having a title is displayed in the table of content (Col. 16, Lines 45-62). As seen, the rendering of items of TABLE OF CONTENT as in FIG. 12 is based on element directory. Specifically, as discussed in the Office Action, FIG. 12 is the step of *displaying items for selection* (Col. 17, Lines 5-15) *in accordance with* the selecting of TABLE OF CONT of FIG. 13 as *an attribute representative of a first axis of access that is a table-of-contents classification, each item being associated with a corresponding descriptor component of a description read in reading step* by an element identifier (Col. 16, Lines 45-56).

- As argued by applicants at page 7:

    The applied art is not seen to disclose or suggest the features of independent Claims 32, 67 and 74, and in particular, is not seen to disclose or suggest at least the feature of reading the description of the resource but not reading the resource.

Examiner respectfully traverses. As illustrated at Col. 16, Lines 45-56, the process of *reading the* element directory as *descriptions of the resources but not reading the resource* is disclosed to create the TABLE OF CONTENT.

- Applicant's arguments with respect to the rejection of claims 32, 67 and 74 under 35 U.S.C § 112, second paragraph, have been fully considered and are persuasive. The rejection of claims 32, 67 and 74 has been withdrawn.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 2, 4-9, 11, 12, 14-18, 32, 33, 35-37, 39-44, 46, 47, 49-53, 67, 68, 70,

71, 74, 119-121 are rejected under 35 U.S.C. 102(b) as being anticipated by

DeRose et al. [USP 5,644,776].

Regarding claims 1, 36 and 71, DeRose teaches a system and method for

indexing and navigating *electronically-accessible resources*, e.g., SGML documents, *using*

element directories of FIG. 6 as *descriptions of the resources*.

As illustrated at Col. 16, Lines 45-56, the process of *reading the* element directory

as *descriptions of the resources* is disclosed to create the TABLE OF CONTENT. As shown

at FIG. 6 (Col. 9, Line 25-Col. 10, Lines 41), a description of a resource of FIG. 4 is

illustrated, *the description having descriptor components* (element descriptors 90) *having*

attributes (Col. 102 of FIG. 6) *representative at least two axes of access to the resources,* (as

shown at FIG. 12, two axes of access is TABLE OF CONTENT and search by term),

wherein at least one axis of access is TABLE OF CONTENT as *table-of-contents classification, the*

description being separate from the resources (Col. 10, Line 38-Col. 11, Line 27, element

directory is generated and written to a file object). Returning back to FIG. 6, each

element descriptor as *descriptor component that has an attribute representative of a table of*

contents also has a link to a corresponding portion of the electronically-accessible resources (Col. 9,

Lines 25-61).

As illustrated at FIG. 12 is the step of *displaying items for selection* (Col. 17, Lines 5-

15) *in accordance with* the selecting of TABLE OF CONT of FIG. 13 as *an attribute*

representative of a first axis of access that is a table-of-contents classification, each item being

associated with a corresponding descriptor component of a description read in reading step (each

item of FIG. 12 associates with an element descriptor by an element identifier, Col. 16,

Lines 45-56).

When the table of contents is displayed on the screen, a section of the table of

contents may then be expanded responsive to a mouse event or other indication by a

user, by displaying the titles for any immediate sub-elements of a selected displayed

element and for subsequent elements which were in the original display (Col. 17, Lines

5-15) as the step of *receiving a selection of one or more descriptor components using the displayed*

items.

As described at FIG. 13, LOOKUP WINDOW for searching a particular term as

an indication of a further axis of access is *received,* and *displaying, in response to the received*

indication, further items for selection in accordance with LOOKUP WINDOW at the bottom of

FIG. 13 as *an attribute representative of the further axis of access, wherein the further items*

correspond to child descriptor components of the selected one or more descriptor components (FIG.

12, TEXT VIEW of selected *shoes* at LOOKUP WINDOW).

DeRose further discloses that the processed structure of FIG. 6 is stored in a random-access medium (Col. 13, Lines 1-6). As illustrated at FIG. 14, *in response to a further selection of a descriptor component having an attribute representative of a table-of-content classification*, for example ROUTINE ADJUSTMENTS, the text of this section as *a portion of the electronically-accessible resources via the* pointer as *link of the selected descriptor component* (Col. 9, Line 50-Col. 10, Line 10) is rendered, and the technique of rendering implies the text is *read* from the random-access medium using pointer to locate the location of the text.

Regarding claims 2 and 37, DeRose teaches all the claim subject matters as discussed above with respect to claims 1 and 36, DeRose further discloses *description is represented by a tree of descriptor components, and one or more of said descriptor components have descriptor components as descendents* (FIG. 3).

Regarding claims 4 and 39, DeRose teaches all the claim subject matters as discussed above with respect to claims 1 and 36, DeRose further discloses *one of said axes of access is an index classification* (Col. 17, Lines 32-48).

Regarding claims 5 and 40, DeRose teaches all the claim subject matters as discussed above with respect to claims 1 and 36, DeRose further discloses *the descriptions of the resources are generated using a description scheme as a template, and the description scheme uses a declarative description definition language which contains definitions for descriptor components of the descriptions of the resources* (FIG. 4).

Regarding claims 6 and 41, DeRose teaches all the claim subject matters as discussed above with respect to claims 5 and 40, DeRose further discloses *the attributes of the descriptor components are defined in the description scheme* (FIG. 4).

Regarding claims 7 and 42, DeRose teaches all the claim subject matters as discussed above with respect to claims 5 and 40, DeRose further discloses *the attributes of the descriptor components are a persistent item of the description scheme* (FIG. 4).

Regarding claims 8 and 43, DeRose teaches all the claim subject matters as discussed above with respect to claims 5 and 40, DeRose further discloses *the attributes of the descriptor components are instantiated by an application when required* (Col. 8, Lines 30-42).

Regarding claims 9 and 44, DeRose teaches all the claim subject matters as discussed above with respect to claims 8 and 43, DeRose further discloses *the attributes of the descriptor components are instantiated using a rule that is associated with the description scheme* (Col. 8, Line 43-Col. 9, Line 13).

Regarding claims 11 and 46, DeRose teaches all the claimed subject matters as discussed in claims 1 and 36, DeRose further discloses *the resources comprise an electronic*

document or resource available over the World Wide Web (Col. 7, Lines 60-66 and Col. 24,

Lines 4-18).

Regarding claims 12 and 47, DeRose teaches all the claimed subject matters as

discussed in claims 1 and 36, DeRose further discloses *the resources comprise an electronic*

device (FIG. 1).

Regarding claims 14 and 49, DeRose teaches all the claim subject matters as

discussed above with respect to claims 1 and 36, DeRose further discloses *axes of access*

are determined by rules operating on the description (FIG. 13).

Regarding claims 15 and 50, DeRose teaches all the claimed subject matters as

discussed in claims 1 and 36, DeRose further discloses *axes of access are determined during*

the generation of the description of the resource (Col. 12, Line 56-Col. 13, Line 6).

Regarding claims 16 and 51, DeRose teaches all the claim subject matters as

discussed above with respect to claims 1 and 36, DeRose further discloses *attributes of*

said descriptor components representative of said at least two axes of access are inferred from the

content of the description (FIGS. 4, 12-13).

Regarding claims 17 and 52, DeRose teaches all of the claimed subject matter

as discussed above with respect to claims 16 and 51, DeRose further discloses *attribute*

of a said descriptor component is inferred to be a table of content descriptor if the said descriptor

component contains a reference to a resource or a section of a resource (FIG. 6).

Regarding claims 18 and 53, DeRose teaches all of the claimed subject matter

as discussed above with respect to claims 17 and 52, DeRose further discloses *attribute*

of a said descriptor component is inferred to be an index descriptor if the said descriptor component is

not inferred to be a table of contents descriptor (FIG. 11).

Regarding claims 32, 67 and 74, DeRose teaches a system and method for

indexing, navigating and annotating an electronically-accessible resource, e.g., SGML

documents, *using* element directory of FIG. 6 as *a description of the resources*.

As illustrated at Col. 16, Lines 45-56, the process of *reading the* element directory

as *descriptions of the resources but not reading the resource* is disclosed to create the TABLE

OF CONTENT, *the description being separate from the resource* (Col. 10, Line 38-Col. 11, Line

27, element directory is generated and written to a file object). As illustrated at FIG. 6,

Col. 9, Line 25-Col. 10, Lines 41, element directory as *the description having* a plurality of

element descriptors as *the descriptor components each of which comprises* a type name 102 as

a name of a feature of the resource as shown in FIG. 4, *and* offset and length of the type

name 102 (Col. 10, Lines 22-25) as *an associated representative value for the feature, the*

element directory as *description also having one or more of the* element descriptors 90 as

descriptor components, including a table of contents attribute as shown at FIG. 6, *and one or more*

of the descriptor components including an index attribute (each element descriptor is assigned

an element identifier, Col. 9, Lines 57-59), *wherein the* element descriptors as *descriptor*

components that include a table of contents attribute as shown at FIG. 6 *also have a link to a*

corresponding portion of the resource (FIG. 6, field 104 representing the location of text

characters or the location of other associated data, Col. 9, Lines 36-39).

As illustrated at FIG. 12 is the step of *displaying one or more tables of contents*

containing table of contents items, each table of contents item being associates with a corresponding

descriptor component (Col. 16, Lines 45-62) *that has a table of content attribute* (FIG. 6).

As illustrated at FIG. 22 is the step of *receiving a selection of one displayed table of*

contents item for the annotation (Col. 23, Line 60-Col. 24, Line 34).

Returning back to FIG. 13, LOOKUP TABLE in FIG. 13 indicates the step of

displaying an index containing index items, DeRose further teaches that *each displayed index*

item being associated with a corresponding descriptor component that has an index attribute and is

associated with the selected table of content item (FIG. 9, Col. 13, Lines 23-29).

By clicking *shoes* in the LOOKUP WINDOW of FIG. 12 as the step of *receiving a*

selection of one displayed index item, shoes as *the selected displayed index item is associated with*

BRAKE SHOES as *the selected table of contents item* to have a TEXT VIEW of *shoes* (FIG.

12).

As disclosed by DeRose at Col. 17, Lines 32-48, another feature provided by the

indexing and rendering methods enables cumulative search statistics to be displayed in

combination with the table of contents as shown in FIGS. 12-13. A user may instruct the

system to search on a given word in a document. The elements in which the selected

word occurs may be determined from the frequency record for the selected word. By

providing a style sheet for the table of contents which directs the rendering process to

examine a selected variable, e.g. "word", which may store a value indicative of a

selected search word, when a table of contents then is displayed, the number of

occurrences in the element corresponding to the item for the selected word may be

retrieved from its frequency record and displayed. Thus, a user may know how many

times a word occurs in each section of a document whose table of contents item is

displayed. A user may then determine relevant portions of the displayed document. As

seen, the system is *received* an instruction to display a value indicative the occurrences

of a selected search word as *a choice of a representative value for the selected index item*, the

number of occurrences as *the chosen representative value is associated with* each section of

table of contents item as *the feature which corresponds to the selected index item*, and as

illustrated at the top right of FIG. 12, the number of occurrences of the word *shoes*

indicates *the chosen representative value and its corresponding feature provide an annotation of the*

resource.

Regarding claims 33 and 68, DeRose teaches all of the claimed subject matter

as discussed above with respect to claims 32 and 67, DeRose further discloses

description read in said reading step is represented by a tree of descriptor components, and one or

more of the descriptor components have descriptor components as descendants (FIG. 3).

Regarding claim 35, DeRose teaches all of the claimed subject matter as

discussed above with respect to claim 32, DeRose further discloses the step of *choosing*

a representative value is predetermined (Col. 17, Lines 32-48).

Regarding claim 70, DeRose teaches all of the claimed subject matter as

discussed above with respect to claim 67, DeRose further discloses *operation of said*

means for selecting one said table of contents item is optional and if not performed said means for

displaying an index displays all said index items associated with all said table of contents items (the

operational boxes at the bottom right of FIG. 13).

Regarding claim 119, DeRose teaches all of the claimed subject matter as

discussed above with respect to claim 1, DeRose further discloses *the corresponding*

portion of the electronically-accessible resources is a spatially localized extent of the resources (FIG.

3).

Regarding claim 120, DeRose teaches all of the claimed subject matter as

discussed above with respect to claim 1, DeRose further discloses *the corresponding*

portion of the electronically-accessible resources is a temporally localized extent of the resources (FIG.

22, after annotation).

Regarding claim 121, DeRose teaches all of the claimed subject matter as

discussed above with respect to claim 32, DeRose further discloses *the corresponding*

portion of the resource is the resource (FIG. 3).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of

the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of

the various claims was commonly owned at the time any inventions covered therein

were made absent any evidence to the contrary. Applicant is advised of the obligation

under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was

not commonly owned at the time a later invention was made in order for the examiner to

consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g)

prior art under 35 U.S.C. 103(a).

Claims 10 and 45 are rejected under 35 U.S.C. 103(a) as being unpatentable

over DeRose et al. [USP 5,644,776] in view of Rowe et al. [USP 6,073,148].

Regarding claims 10 and 45, DeRose teaches all the claim subject matters as discussed above with respect to claims 1 and 36, but does not explicitly disclose *the resources comprise an item of digital audiovisual content* (Col. 1, Lines 5-10). Rowe teaches an electronic document comprises an item of digital audiovisual content (Rowe, Col. 1, Lines 29-39). It would have been obvious for one of ordinary skill in the art at the time the invention was made to include item of digital audiovisual content in order to illustrate the content of an electronic document.

Claims 34 and 69 are rejected under 35 U.S.C. 103(a) as being unpatentable over DeRose et al. [USP 5,644,776].

Regarding claims 34 and 69, DeRose teaches all of the claimed subject matter as discussed above with respect to claim claims 32 and 67, but does not explicitly discloses the step of *associating the selected display index item is allowed only if the corresponding descriptor of the selected display index item is a valid descriptor for the table of contents item selected for annotation*. However, as illustrated at FIG. 13, a user can enter a term into the search box of LOOKUP WINDOW, and if the search term is invalid, obviously, there will be no annotation. It would have been obvious for one of ordinary skill in the art at the time the invention was made to include the condition of associating the number of occurrences of a word in order to annotate the table of content.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to HUNG Q. PHAM whose telephone number is 571-272-

4040. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, JOHN E. BREENE can be reached on 571-272-4107. The fax phone

number for the organization where this application or proceeding is assigned is 703-

872-9306.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

HUNG Q PHAM
Examiner
Art Unit 2162

May 27, 2005

SHAHID ALAM
PRIMARY EXAMINER